

**IN THE UNITED STATES BANKRUPTCY COURT FOR  
THE NORTHERN DISTRICT OF MISSISSIPPI**

**IN THE MATTER OF:**

**CHAPTER 13 CASE NO.:**

**DEWAYNE JONES**

**21-10854-JDW**

**OBJECTION TO EXEMPTIONS**

COMES NOW Locke D. Barkley, Chapter 13 Trustee, by and through counsel, and files this Objection to Exemptions (the "Objection") and in support states as follows:

1. The Debtor initiated this proceeding with the filing of a voluntary petition for relief on April 30, 2021. The Section 341(a) Meeting of Creditors is scheduled for May 26, 2021.

2. In Schedule C (Dkt. #1) the Debtor claims the following property as exempt: 2012 Toyota Tundra, 2013 Lexus ES350, 2011 Hyundai Sonata. The Debtor cites Miss. Code Ann. § 85-3-1(a) as the basis for each exemption.

3. While the claimed exemptions may, arguably, be within the statutory allowance, the exemptions claimed for the 2012 Toyota Tundra, 2013 Lexus ES350, and 2011 Hyundai Sonata in the amount of "100% of fair market value, up to any applicable statutory limit" is problematic. Such claimed exemptions result in a certain degree of ambiguity and uncertainty which impairs the rights of creditors and the Trustee, or successor trustee.

4. The Trustee requests that the exemptions claimed in 2012 Toyota Tundra, 2013 Lexus ES350, 2011 Hyundai Sonata be disallowed without prejudice to the Debtor amending Schedule C to state an amount certain for each of the claimed exemptions.

WHEREFORE, PREMISES CONSIDERED, Locke D. Barkley, Chapter 13 Trustee, prays that upon notice and hearing that this Court enter its order sustaining the Trustee's Objection and for such other relief to which the Trustee and this bankruptcy estate may be entitled.

Dated: May 18, 2021

Respectfully submitted,  
LOCKE D. BARKLEY, TRUSTEE

BY: /s/ W. Jeffrey Collier  
W. JEFFREY COLLIER, ESQ.  
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**CERTIFICATE OF SERVICE**

I, the undersigned attorney for the Trustee, do hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and I hereby certify that I either mailed by United States Postal Service, first class, postage prepaid, or electronically notified through the CM/ECF system, a copy of the above and foregoing to the Debtor, attorney for the Debtor, the United States Trustee, and other parties in interest, if any, as identified below.

Dated: May 18, 2021

/s/ W. Jeffrey Collier  
W. JEFFREY COLLIER